

REMARKS

I. Status of Claims

Claims 1-317 have been canceled herein without prejudice, and new claims 318-336 have been added.

Support for new claims 318-334 can be found in the application as originally filed, as shown in the chart below:

New Claim Number:	Identical to Original Claim Number:
318	95
319	112
320	142
321	143
322	144
323	145
324	146
325	147
326	152
327	158
328	159
329	160
330	167
331	168
332	179
333	180
334	181

Support for new claim 335 can be found in the application as originally filed, for example on page 12, fourth paragraph, reciting Uniclear and that Uniclear “may be mixtures of copolymers derived from monomers of (i) C₃₆ diacids and (ii) ethylenediamine.” See also International Cosmetic Ingredient Dictionary and Handbook (“CTFA”) page 657-58 (attached herewith as Exhibit 1), reciting that ethylenediamine/stearyl dimer tallate copolymer is at least one copolymer of ethylenediamine and tall oil

dimer acid monomers, end-blocked with stearyl alcohol and further reciting that a trade name for ethylenediamine/stearyl dimer tallate copolymer is Uniclear.

Support for new claim 336 can be found in the application as originally filed, for example on page 12, fourth paragraph, reciting Uniclear and that Uniclear “may be mixtures of copolymers derived from monomers of (i) C₃₆ diacids and (ii) ethylenediamine.” See also International Cosmetic Ingredient Dictionary and Handbook (“CTFA”) page 657-58 (attached herewith as Exhibit 1), reciting that ethylenediamine/stearyl dimer dilinoleate copolymer is at least one copolymer of ethylenediamine and dilinoleic acid monomers, end-blocked with stearyl alcohol and further reciting that a trade name for ethylenediamine/stearyl dimer dilinoleate copolymer is Uniclear. Thus, the specification reasonably conveys a composition comprising at least one ethylenediamine/stearyl dimer tallate copolymer and a composition comprising ethylenediamine/stearyl dimer dilinoleate copolymer as claimed in new claims 335 and 336.

The Title and Abstract have been amended to more accurately describe the presently claimed invention. Support for the new Title and Abstract can be found throughout the application as originally filed, and as discussed above. Accordingly, no new matter has been added.

II. Rejections under 35 U.S.C. § 103

A. Ross in view of Arnaud

Claims 1-27, 40-46, 50-63, 66, 69-111, 131-138, 142-155, 187-213, 226-281, 286, and 289-299 have been rejected under 35 U.S.C. § 103 as obvious over U.S.

Patent No. 5,500,209 to Ross et al. ("Ross") in view of U.S. Patent No. 5,908,631 to Arnaud et al. ("Arnaud"). Applicants respectfully traverse and discuss herein the rejection as it applies to new claims 318, 320-326, 335, and 336.

According to the Examiner, "Ross discloses compositions containing [a] polyamide-gelling agent," such as Macromelt 6212. Office Action at 2, citing Ross, col. 14, ll. 52-53. The Examiner admits that "Ross does not mention oil-soluble polymer[s]," yet attempts to rectify this deficiency in Ross with Arnaud, stating that "Arnaud discloses [a] mono[h]ydric alcohol free composition comprising solubilized ethyl cellulose for topical use." Office Action at 2. The Examiner then concludes that "[i]t would have been obvious to add to the composition of Ross, the ethyl cellulose (of Arnaud) to enhance adhesion, durability[,] viscosity and hydrophobicity efficacy." *Id.*

No *prima facie* case of obvious has been established, however, over claims 318, 320-326, 335, and 336. In order to establish such a *prima facie* case, the Examiner must, among other things, show some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference teachings. M.P.E.P. § 2143. It is not enough that references can be combined or modified -- this "does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination." *Id.* at 2143.01 (citing *In re Mills*, 916 F.2d 680 (Fed Cir. 1990)). The Examiner's conclusion that, because both references contain certain ingredients, one of ordinary skill in the art would be motivated to combine them, simply does not meet with this high threshold.

After a thorough review of the Office Action and the cited references, it appears the only noted "suggestion" to combine references mentioned by the Examiner is the

desirability touted in Arnaud for the composition's "enhanc[ed] adhesion, durability, viscosity and hydrophobicity." See Office Action at 2; Arnaud, col. 1, ll. 53-54. Yet the Examiner fails to explain why these properties would create any suggestion or motivation to combine Arnaud with Ross. Ross discloses a deodorant and antiperspirant composition containing a polyamide gelling agent which clearly would not benefit from, but rather would be hindered by, "enhanc[ed] adhesion, durability, viscosity and hydrophobicity."

More specifically, Ross unequivocally praises the virtues of *decreasing* adhesion and hydrophobicity: "Desirably, the composition according to the present invention includes a surface active agent, to ensure rinsability of the formula." Ross, col. 16, ll. 55-57. Indeed, common sense dictates that one of ordinary skill in the art would have no motivation to make a deodorant composition with the adhesive and hydrophobic properties characteristic of the makeup compositions disclosed in Arnaud, and the Examiner has failed to establish otherwise. As Ross makes clear, the deodorant and antiperspirant composition should ideally have good rinsability. Therefore, no *prima facie* case of obviousness has been established, and Applicants respectfully request withdrawal of the rejection.

B. Ross in view of Arnaud and further in view of Pavlin

Claims 28-39, 112-130, and 214-225 have been rejected under 35 U.S.C. § 103 as obvious over Ross in view of Arnaud and further in view of U.S. Patent No. 5,783,657 to Pavlin et al. ("Pavlin"). Applicants traverse the rejection as it applies to new claim 319.

Relying on both Ross and Arnaud, the Examiner, as discussed above, admits that neither Ross nor Arnaud teaches or suggests the structural polymer as claimed in claim 28 (as well as pending claim 319), comprising a polymer of formula (I). The Examiner, however, relies on Pavlin for “disclos[ing] ester-terminated polyamides of polymerized fatty acids useful in gels.” Office Action at 3. Thus, the Examiner concludes that “it would have been obvious from [the] teachings of Pavlin that the polymer of Ross can be represented by a formula as shown by Pavlin.” *Id.*

The supplementary reference Pavlin, however, does not cure the deficiencies of Ross and Arnaud discussed above, as the Examiner has not provided any helpful rationale, as he must, for why one of ordinary skill in the art would be motivated to combine Pavlin with either Arnaud or Ross. As the Federal Circuit has recently emphasized:

The factual inquiry whether to combine references must be thorough and searching. It **must be based on objective evidence of record** Thus the Board must not only assure that the requisite findings are made, based on evidence of record, but **must also explain the reasoning by which the findings are deemed to support the agency’s conclusion.**

In re Lee, 277 F.3d 1338, 1342 (Fed. Cir. 2002) (emphasis added). There is simply no indication from the present Office Action that one of ordinary skill in the art would be motivated to combine Pavlin with either Ross or Arnaud. Therefore, Applicants respectfully assert that no *prima facie* case of obviousness can be established based upon the cited references.

C. Ross in view of Arnaud, and further in view of Mondet

Claims 64, 65, 67, 68, and 156-186 have been rejected under 35 U.S.C. § 103 as obvious over Ross in view of Arnaud, and further in view of U.S. Patent No. 6,180,123

to Mondet et al. ("Mondet"). Applicants traverse the rejection as it applies to claims 327-334.

The Examiner admits that neither Ross nor Arnaud discloses "gum as an ingredient of gel." Office Action at 3. However, the Examiner alleges that "Mondet discloses [a] composition in which alkylated guar gums are used as thickening agents," and therefore, "it would have been obvious to use the alkylated guar gums (of Mondet) as thickening agents[s] in [the] composition of Ross to enhance stability and to increase viscosity." *Id.* Mondet cannot cure the deficiencies of Ross and Arnaud, discussed above.

D. Ross in view of Arnaud and further in view of Ferrari

Claims 47-49 and 139-141 have been rejected under 35 U.S.C. § 103 as obvious over Ross in view of Arnaud, and further in view of U.S. Patent No. 6,402,408 to Ferrari et al. ("Ferrari"). While Applicants disagree with the Examiner's characterization of the references and do not believe a *prima facie* case of obviousness has been established, this rejection is rendered moot by the cancellation of claims 47-49 and 139-141 herein.

E. Tournilhac in view of Arnaud

Claim 288 has been rejected under 35 U.S.C. § 103 as obvious over U.S. Patent No. 6,287,552 to Tournilhac et al. ("Tournilhac") in view of Arnaud. While Applicants disagree with the Examiner's characterization of the references and do not believe a *prima facie* case of obviousness has been established, this rejection is rendered moot by the cancellation of claim 288 herein.

III. U.S. Patent No. 6,497,861 to Wang et al.

As referenced in the Information Disclosure Statement filed July 24, 2003, Applicants are aware of U.S. Patent No. 6,497,861 to Wang et al. ("Wang"), filed June 21, 2001. However, Applicants do not believe that this patent is prior art with respect to the present application. In this regard, Applicants point out that the instant application was filed on December 12, 2000. Nor do Applicants believe that the claims presented herein define the same patentable invention as any of those of Wang. Hence, Applicants do not believe that there is any interfering subject matter between the present claims and those of Wang.

IV. Commonly Assigned Applications and Patents

Applicants have identified the related copending applications and patents below in Table 2 that were filed prior to December 12, 2000. Applicants do not believe that any of the identified copending U.S. Patent Applications or any relevant publications thereof or relevant PCT publications of a counterpart thereof, describes or suggests the subject matter of the claims of the present application under 35 U.S.C. § 102(e) and/or § 103.

Also listed in Table 2, below, is the publication information (U.S. Published Applications and/or U.S. Patents), if any, that correspond to these copending applications and their dates of publication. Applicants assert that all of the applications and patents listed in Table 2 that were filed prior to the instant application's priority date were commonly owned by the Assignee at the time the instant invention was made, which instant invention was also subject to assignment to the Assignee. Moreover,

Applicants have provided for the Office's convenience the available assignment information in Table 2 or confirmed the obligation of assignment with the assignee, demonstrating that none of these applications, patents, or publications is available as § 102(e)/§ 103 prior art against the pending claims. See 35 U.S.C. § 103(c).

V. Patentability over Copending Applications and Patents Issued Therefrom Cited in Information Disclosure Statements

For the Office's convenience, Applicants identify in Table 2 below 41 related copending applications and patents, including the instant application, as well as those listed on the PTO Forms 1449 filed on March 20, 2002, July 24, 2003, May 18, 2004, or filed herewith, including filing date, assignment, and inventor information. This should assist the Office in assessing any possible issues under obviousness-type and/or statutory double patenting. For the Examiner's convenience, Applicants provide Exhibit 2, which contains all of the currently pending claims of the 41 applications and patents, including the instant claims.

Table 2.

Attorney Docket No.	U.S. Patent Application No.	U.S. Filing Date/ 371 (c) Date	Inventors	Title	Assignment Recorded (Reel, Frame, Date)	Publication, Date
05725.0594-00000	09/733,899	December 12, 2000	Mohamed KANJI, Carl ORR, and Carlos O. PINZON	COSMETIC COMPOSITIONS CONTAINING AT LEAST ONE HETERO POLYMER AND AT LEAST ONE FILM-FORMING SILICONE RESIN AND METHODS OF USING	Reel 011723, Frame 0503, on April 20, 2001	U.S. Published Application No. US 2002/011477 3 A1 Dated: August 22, 2002

Attorney Docket No.	U.S. Patent Application No.	U.S. Filing Date/ 371 (c) Date	Inventors	Title	Assignment Recorded (Reel, Frame, Date)	Publication Date
05725.0595-00000	09/733,900	December 12, 2000	Carlos O. PINZON and Paul THAU	COSMETIC COMPOSITIONS CONTAINING HETEROPOLYMERS AND OIL-SOLUBLE CATIONIC SURFACTANTS AND METHODS OF USING SAME	Reel 011639, Frame 0897, on March 23, 2001	U.S. Published Application No. US 2002/012278 1 A1 (Republished US 2003/008212 6A9 on May 1, 2003) Dated: September 5, 2002
05725.0656-00000	09/618,066	July 17, 2000	Véronique FERRARI and Pascal SIMON	COMPOSITIONS IN RIGID FORM STRUCTURED WITH A POLYMER	Reel 011057, Frame 0676, on September 11, 2000	N/A: Will not publish
05725.0656-01000	09/685,577	October 11, 2000	Véronique FERRARI and Pascal SIMON	COMPOSITIONS IN RIGID FORM STRUCTURED WITH A POLYMER	Reel 011455, Frame 0203, on January 22, 2001	N/A: Will not publish
05725.0659-00000	09/618,032, issued on June 11, 2002, as U.S. Patent No. 6,402,408	July 17, 2000	Véronique FERRARI	COMPOSITION CONTAINING A LIQUID FATTY PHASE GELLED WITH A POLYAMIDE CONTAINING ESTER END GROUPS	Reel 011057, Frame 0007, on September 12, 2000	U.S. Patent No. 6,402,408 Dated: June 11, 2002
05725.0659-01000	09/685,578	October 11, 2000	Véronique FERRARI	COMPOSITION CONTAINING A LIQUID FATTY PHASE GELLED WITH A POLYAMIDE CONTAINING ESTER END GROUPS	Reel 011549, Frame 0914, on February 20, 2001	N/A: Will not publish
05725.0795-	10/182,830	August 2, 2002	Roberto CAVA-	USE OF POLYAMIDE	Reel 014040, Frame 0345,	U.S. Published

Attorney Docket No.	U.S. Patent Application No.	U.S. Filing Date/ 371 (c) Date	Inventors	Title	Assignment Recorded (Reel, Frame, Date)	Publication Date
01000		2002 371 (c) Date: January 21, 2003	ZZUTI, Véronique FERRARI, Brian MATTOX, Carlos O. PINZON, and Paul THAU	POLYMER IN A MASCARA COMPOSITION COMPRISING AT LEAST ONE SOLID SUBSTANCE HAVING A MELTING POINT OF 45°C OR GREATER	on May 7, 2003	Application No. 2003/014783 7 A1 Dated: August 7, 2003
05725. 0795- 02000	10/787,441	February 27, 2004	Roberto CAVA- ZZUTI, Véronique FERRARI, Brian MATTOX, Carlos O. PINZON, and Paul THAU	METHOD OF MAKING A MASCARA COMPOSITION COMPRISING POLYAMIDE POLYMER AND AT LEAST ONE SOLID SUBSTANCE HAVING A MELTING POINT OF 45°C OR GREATER	Reel 014040, Frame 0345, on May 7, 2003	US Published Application No. 2004- 0166133 A1 Dated August 26, 2004
05725. 0806- 00000	09/733,896	December 12, 2000	Carlos O. PINZON and Paul THAU	COMPOSITIONS CONTAINING HETEROPOLY- MERS AND OIL- SOLUBLE POLYMERS AND METHODS OF USING SAME	Reel 011765, Frame 0183, on April 26, 2001	U.S. Published Application No. US 2002/012003 6 A1 (Republished US 2003/012542 7 A9 on July 3, 2003) Dated: August 29, 2002
05725. 0808- 00000	09/733,898	December 12, 2000	Carlos O. PINZON, Paul THAU, and Isabelle BARA	COMPOSITIONS CONTAINING HETEROPOLY- MERS AND OIL- SOLUBLE ESTERS AND METHODS OF	Reel 011654, Frame 0869, on April 2, 2001	U.S. Published Application No. US 2002/010731 4 A1

Attorney Docket No.	U.S. Patent Application No.	U.S. Filing Date/ 371 (c) Date	Inventors	Title	Assignment Recorded (Reel, Frame, Date)	Publication, Date
				USING SAME		Dated: August 8, 2002
05725.0808-02000	10/918,579	August 16, 2004	Carlos O. PINZON, Paul THAU, and Isabelle BARA	COMPOSITIONS CONTAINING HETEROPOLYMERS AND OIL-SOLUBLE ESTERS AND METHODS OF USING SAME	Reel 011654, Frame 0869, on April 2, 2001	Not yet published
05725.0809-00000	09/733,897	December 12, 2000	Carlos O. PINZON and Paul THAU	COMPOSITIONS CONTAINING HETEROPOLYMERS AND METHODS OF USING SAME	Reel 011646, Frame 0966, on April 4, 2001	U.S. Published Application No. US 2002/011133 0 A1 Dated: August 15, 2002
05725.0816-01000	10/203,018	August 5, 2002 371 (c) Date: March 24, 2003	Véronique FERRARI, Richard KOLODZIEJ, Carlos O. PINZON, and Paul THAU	USE OF POLYAMIDE POLYMER IN A MASCARA COMPOSITION COMPRISING AT LEAST ONE INERT FILLER	Reel 014055, Frame 0428, on March 24, 2003	U.S. Published Application No. US 2003/016184 8 A1 Dated: August 28, 2003
05725.0816-02000	10/787,440	February 27, 2004	Véronique FERRARI, Richard KOLODZIEJ, Carlos O. PINZON, and Paul THAU	METHOD OF MAKING A MASCARA COMPOSITION COMPRISING A POLYAMIDE POLYMER AND AT LEAST ONE INERT FILLER	Reel 014055, Frame 0428, on March 24, 2003	U.S. Published Application No. US 2004-0166076 A1 Dated August 26, 2004
05725.0817-01000	10/203,254	August 7, 2002	Véronique FERRARI, Carlos O. PINZON,	COSMETIC COMPOSITIONS CONTAINING AT LEAST ONE	Reel 013607, Frame 0258, on December 20, 2002	U.S. Published Application No. US

Attorney Docket No.	U.S. Patent Application No.	U.S. Filing Date/ 371 (c) Date	Inventors	Title	Assignment Recorded (Reel, Frame, Date)	Publication, Date
		371 (c) Date: December 20, 2002	and Paul THAU	HETEROPOLYMER AND AT LEAST ONE GELLING AGENT AND METHODS OF USING THE SAME	20, 2002	2003/018578 0 A1 Dated: October 2, 2003
05725.0819-01000	10/129,377	May 3, 2002 371 (c) Date: October 16, 2002	Véronique FERRARI	COMPOSITION STRUCTURED WITH A POLYMER CONTAINING A HETEROATOM AND AN ORGANOCELL-ATOR	Filed October 16, 2002. Not yet recorded.	Not yet published
05725.0832-00000	09/749,036	December 28, 2000	Véronique FERRARI and Véronique JACQUES	COMPOSITION COMPRISING AT LEAST ONE HETERO POLYMER AND AT LEAST ONE PASTY FATTY SUBSTANCE AND METHODS FOR USE	Reel 011723, Frame 0518, on April 20, 2001	U.S. Published Application No. US 2001/003128 0 A1 Dated: October 18, 2001
05725.0895-00000	09/971,028 issued on April 6, 2004 as U.S. Patent No. 6,716,420	October 5, 2001	Mohamed KANJI	METHODS OF USE AND OF MAKING A MASCARA COMPRISING AT LEAST ONE COLORING AGENT AND AT LEAST ONE HETEROPOLYMER	Reel 012411, Frame 0820, on December 28, 2001	U.S. Published Application No. US 2003/008688 3 A1 Dated: May 8, 2003
05725.0895-01000	10/413,217	April 15, 2003	Mohamed KANJI	METHODS OF USE AND OF MAKING A MASCARA COMPRISING AT LEAST ONE COLORING AGENT AND AT	Reel 012411, Frame 0820, on December 28, 2001	U.S. Published Application No. US 2003/019861 3 A1 Dated:

Attorney Docket No.	U.S. Patent Application No.	U.S. Filing Date/ 371 (c) Date	Inventors	Title	Assignment Recorded (Reel, Frame, Date)	Publication, Date
				LEAST ONE POLYAMIDE POLYMER CHOSEN FROM ETHYLENEDIAMINE/STEARYL DIMER TALLATE COPOLYMER		October 23, 2003
05725.0895-02000	10/699,780	November 4, 2003	Sue FENG and Mohamed KANJI	METHODS OF DISPERSING AT LEAST ONE COLORING AGENT USING AT LEAST ONE HETEROPOLYMER	Reel 012411, Frame 0820, on December 28, 2001	U.S. Published Application No. US 2004/0091510 A1 Dated: May 13, 2004
05725.0896-00000	10/198,931	July 22, 2002	Mohamed KANJI	COMPOSITIONS COMPRISING AT LEAST ONE HETEROPOLYMER AND FIBERS, AND METHODS OF USING THE SAME	Reel 013410, Frame 0044, on October 21, 2002	U.S. Published Application No. US 2004/0013625 A1 Dated: January 22, 2004
05725.0920-00000	09/899,909, issued on August 13, 2002 as U.S. Patent No. 6,432,391	July 9, 2001	Isabelle BARA	TRANSPARENT SCENTED SOLID COSMETIC COMPOSITION	Reel 012278, Frame 0077, on October 23, 2001	U.S. Patent No. 6,432,391 Dated: August 13, 2002
05725.0932-00000	09/937,314	September 24, 2001 371 (c) Date: December 6, 2001	Véronique FERRARI	A TRANSFER-FREE MASCARA COMPOSITION COMPRISING AT LEAST ONE VOLATILE SOLVENT AND AT LEAST ONE POLYMER	Reel 012476, Frame 0507, on January 17, 2002	U.S. Published Application No. US 2004/0086478 A1 Dated: May 6, 2004

Attorney Docket No.	U.S. Patent Application No.	U.S. Filing Date/ 371 (c) Date	Inventors	Title	Assignment Recorded (Reel, Frame, Date)	Publication, Date
05725.0932-01000	10/993,431	November 22, 2004	Véronique FERRARI	A TRANSFER-FREE MASCARA COMPOSITION COMPRISING AT LEAST ONE VOLATILE SOLVENT AND AT LEAST ONE POLYMER	Reel 012476, Frame 0507, on January 17, 2002	Not yet published
05725.1003-00000	10/012,029	December 11, 2001	Nathalie COLLIN	COSMETIC COMPOSITION COMPRISING A POLYMER BLEND	Reel 013142, Frame 0645, on August 1, 2002	U.S. Published Application No. US 2003/001276 4 A1 Dated: January 16, 2003
05725.1003-01000	10/993,430	November 22, 2004	Nathalie COLLIN	COSMETIC COMPOSITION COMPRISING A POLYMER BLEND	Reel 013142, Frame 0645, on August 1, 2002	Not yet published
05725.1004-00000	10/012,051	December 11, 2001	Nathalie COLLIN	USE OF AT LEAST ONE POLYAMIDE POLYMER IN A MASCARA FOR RAPIDLY INCREASING THE AMOUNT OF MAKE-UP DEPOSITED ON EYELASHES	Reel 012847, Frame 0285, on April 30, 2002	U.S. Published Application No. US 2002/018903 0 A1 Dated: December 19, 2002
05725.1004-01000	10/990,475	November 18, 2004	Nathalie COLLIN	USE OF AT LEAST ONE POLYAMIDE POLYMER IN A MASCARA FOR RAPIDLY INCREASING THE AMOUNT OF MAKE-UP DEPOSITED ON	Reel 012847, Frame 0285, on April 30, 2002	Not yet published

Attorney Docket No.	U.S. Patent Application No.	U.S. Filing Date/ 371 (c) Date	Inventors	Title	Assignment Recorded (Reel, Frame, Date)	Publication, Date
				EYELASHES		
05725. 1005- 00000	10/012,052	December 11, 2001	Nathalie COLLIN	COSMETIC COMPOSITION CONTAINING A WAX AND A POLYMER	Reel 012847, Frame 0264, on April 30, 2002	U.S. Published Application No. US 2002/016833 5 A1 Dated: November 14, 2002
05725. 1018- 00000	10/046,568	January 16, 2002	Xavier BLIN, Véronique FERRARI, and Frédéric AUGUSTE	NAIL POLISH COMPOSITION COMPRISING A POLYMER	Reel 013109, Frame 0731, on July 18, 2002	U.S. Published Application No. US 2002/019216 8 A1 Dated: December 19, 2002
05725. 1020- 00000	10/047,987	January 17, 2002	Véronique FERRARI	COSMETIC COMPOSITION COMPRISING A POLYMER AND A FLUORO OIL	Reel 012910, Frame 0028, on May 17, 2002	U.S. Published Application No. US 2002/017269 6 A1 Dated: November 21, 2002
05725. 1187- 00000	10/312,083	December 23, 2002 371 (c) Date: March 26, 2003	Patricia LEMMANN	COSMETIC COMPOSITION COMPRISING AN EMULSION CONTAINING A LIQUID FATTY PHASE STRUCTURED WITH A POLYMER, AND AN ALKYLENE- OXIDE- CONTAINING EMULSION	Reel 014039, Frame 0976, on March 26, 2003	U.S. Published Application No. US 2003/016180 7 A1 Dated: August 28, 2003

Attorney Docket No.	U.S. Patent Application No.	U.S. Filing Date/ 371 (c) Date	Inventors	Title	Assignment Recorded (Reel, Frame, Date)	Publication, Date
				STABILIZER		
05725.1198-00000	10/450,108	June 11, 2003 371 (c) Date: June 11, 2003	Nathalie COLLIN	COSMETIC COMPOSITION COMPRISING A POLYMER AND FIBERS	Not yet filed/recorded	U.S. Published Application No. US 2004/002863 6 A1 Dated: February 12, 2004
05725.1228-00000	10/466,166	July 14, 2003 371 (c) Date: January 20, 2004	Nathalie COLLIN	COSMETIC COMPOSITION COMPRISING A MIXTURE OF POLYMERS	Filed January 20, 2004. Not yet recorded.	U.S. Published Application No. US 2004/012640 1 A1 Dated: July 1, 2004
05725.1336-00000	10/459,636	June 12, 2003	Shao Xiang LU and Mohamed KANJI	COSMETIC EMULSIONS CONTAINING AT LEAST ONE HETERO POLYMER AND A SUNSCREEN AND METHODS OF USING SAME	Filed October 3, 2003; not yet recorded	U.S. Published Application No. US 2004/004298 0 A1 Dated: March 4, 2004
05725.1337-00000	10/618,315	July 11, 2003	Shao Xiang LU, Terry VAN LIEW, and Nathalie GEFFROY-HYLAND	COSMETIC COMPOSITIONS COMPRISING A STRUCTURING AGENT, SILICONE POWDER AND SWELLING AGENT	Filed August 12, 2003 and January 30, 2004; not yet recorded	Not yet published
05725.1338-01000	10/746,612	December 22, 2003	Shao Xiang LU, Terry VAN LIEW, Nathalie GEFFROY-HYLAND,	COSMETIC COMPOSITIONS COMPRISING A STRUCTURING AGENT, SILICONE	Not yet filed/recorded	Not yet published

Attorney Docket No.	U.S. Patent Application No.	U.S. Filing Date/ 371 (c) Date	Inventors	Title	Assignment Recorded (Reel, Frame, Date)	Publication, Date
			and Mohamed KANJI	POWDER AND SWELLING AGENT		
05725.1338-02000	10/747,412	December 22, 2003	Shao Xiang LU and Mohamed KANJI	COSMETIC EMULSIONS CONTAINING AT LEAST ONE HETERO POLYMER AND AT LEAST ONE SUNSCREEN AND METHODS FOR USING THE SAME	Not yet filed/recorded	Not yet published
05725.1378-00000	11/019,382	December 23, 2004	Wei YU and Véronique FERRARI	COSMETIC COMPOSITION COMPRISING TWO DIFFERENT HETERO POLYMERS AND METHOD OF USING SAME	Not yet filed/recorded	Not yet published
06028.0018-00000	10/203,375	August 9, 2002 371 (c) Date: August 9, 2002	Nathalie JAGER-LEZER and Jean-Christophe SIMON	COLOURED TRANSPARENT OR TRANSLUCENT COSMETIC COMPOSITION	Reel 013318, Frame 0962, on August 9, 2002	U.S. Published Application No. US 2003/002677 2 A1 Dated: February 6, 2003
06028.0019-00000	10/203,374	August 9, 2002 371 (c) Date: August 9, 2002	Jean-Christophe SIMON and Nathalie JAGER-LEZER	METHOD FOR MAKING A COLOURED MAKE-UP COSMETIC COMPOSITION WITH CONTROLLED TRANSMITTANCE	Reel 013321, Frame 0001, on August 9, 2002	U.S. Published Application No. US 2003/004436 7 A1 Dated: March 6, 2003

VI. Conclusion

In view of the foregoing remarks, Applicants respectfully request reconsideration of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
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Dated: April 19, 2005

By: Erin C. DeCarlo
Erin C. DeCarlo
Reg. No. 51,688

Attachments: Exhibit 1: International Cosmetic Ingredient Dictionary and Handbook ("CTFA") page 657-58.
Exhibit 2: Pending Claims in Copending Applications and Patents